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21573YP

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,950	Wesley Blackaby	21573YP

INTERNATIONAL APPLICATION NO.

PCT/US05/09810

I.A. FILING DATE	PRIORITY DATE
03/23/2005	03/24/2004

CONFIRMATION NO. 5436  
371 FORMALITIES LETTER



\*OC000000023540946\*

210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

Office (nmp)  
Oath/Dec  
Supp fees  
due 04/26/07

Date Mailed: 04/26/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/22/2006
- Copy of the International Search Report filed on 09/22/2006
- Preliminary Amendments filed on 09/22/2006
- Information Disclosure Statements filed on 09/22/2006
- Oath or Declaration filed on 09/22/2006
- U.S. Basic National Fees filed on 09/22/2006
- Specification filed on 09/22/2006
- Claims filed on 09/22/2006
- Abstracts filed on 09/22/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

2007 APR 30 AM 11:04  
RECEIVED  
SEARCHED  
INDEXED  
MAILED

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DARRELL C COTTMAN

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**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/593,950	PCT/US05/09810	21573YP

FORM PCT/DO/EO/905 (371 Formalities Notice)



PCT  
IAP6 Rec'd PCT/PTO 10 MAY 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wesley Blackaby, et al.

Serial No. : 10/593,950

Case No.: 21573YP

Filed : September 22, 2006

For : Heteroaryl Piperidine Glycine Transporter Inhibitors

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE**  
**UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Missing Requirements under 35 U.S.C. 361 in the United States Designated/Elected Office (DO/EO/US), mailed April 26, 2007 (a copy of which is attached hereto), enclosed is a Declaration and Power of Attorney executed by the inventors.

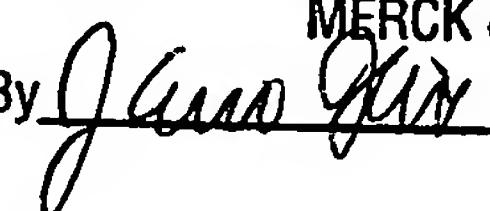
Enclosed herewith is a Fee Transmittal form authorizing payment of the \$130.00 surcharge. If there are any deficiencies, please also charge these to Merck Deposit Account number 13-2755.

Respectfully submitted,

By   
J. Eric Thies  
Reg. No. 35,382  
Attorney for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By  Date 7 May 2007

Date: May 7, 2007

MERCK & CO., Inc.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
(732) 594-3904

# MISC. FEE TRANSMITTAL



Patent fees are subject to annual revision.

## Complete if Known

Application Number	10/593,950
Filing Date	September 22, 2006
First Named Inventor	Blackaby et al.
Examiner Name	TBD
Group Art Unit	TBD
Attorney Docket Number	21573YP

TOTAL AMOUNT OF PAYMENT

\$130

## METHOD OF PAYMENT

Deposit Account

Deposit Account Number

Deposit Account Name

The Director is authorized to:

Charge fee(s) indicated below

Credit any overpayments

Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17

## FEE CALCULATION

### FEES

#### Large Entity

Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	<input type="text" value="130"/>
1051	130	Non-English Specification	<input type="text"/>
1812	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="text"/>
1402	500	Filing a brief in support of an appeal	<input type="text"/>
1452	500	Petition to revive - unavoidable	<input type="text"/>
1453	1,500	Petition to revive - unintentional	<input type="text"/>
1807	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
1806	180	Submission of Information Disclosure Statement	<input type="text"/>
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>
1840	130	Statutory Terminal Disclaimer under 37 CFR 1.321	<input type="text"/>
Other fee (specify)		<input type="text"/>	<input type="text"/>
Other fee (specify)		<input type="text"/>	<input type="text"/>

05/14/2007 MKAYPAGH 00000050 132755 10593950

01 FC:1617 130.00 DA

**TOTAL**

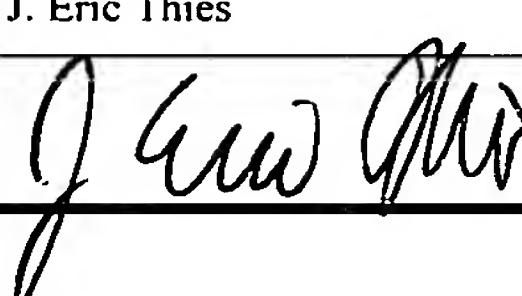
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Date 7 May 2007  
By J. Eric Thies

## SUBMITTED BY

## Complete (if applicable)

Typed or Printed Name	J. Eric Thies			Reg. Number	35,382
Signature		Date	05/07/2007	Deposit Account User ID	